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Comments on the Report of Committee on Judicial Administration

LeDoux R. Provosty

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surrounding the attempt to proceed otherwise were more onerous than the risk involved, I concluded to follow "the practice" and pay the Inheritance Tax Collector the amounts at which the inheritance taxes had been extrajudicially fixed. Having done this, I then presented to the judge the receipt of the Inheritance Tax Collector showing the payment of the amounts fixed by the attorney for the Inheritance Tax Collector, whereupon the judge reluctantly rendered a judgment fixing the amount of these taxes in the amounts at which they had already been fixed by the said attorney. It was obvious, however, that his Honor did not consider it either necessary or proper for him to fix the inheritance taxes at all, and that he did so merely as a favor to me, for which I was very grateful.

It would be most helpful for our judges in the centers of population to rub elbows with our judges in the rural districts, and *vice versa*. Each of them would learn a lot from each other.

BENJAMIN B. TAYLOR*

The report of the Committee on Judicial Administration submitted to the Louisiana State Bar Association on April 30, 1943, reflects the mature thought of the members of this Committee emanating from many lengthy and considered discussions of the subject. This committee in its study had the benefit of much research on the question of "Judicial Statistics" and "Judicial Conferences."

Promotion of the efficient administration of justice has been a matter of great concern to the American Bar¹ and has received the attention of America's leading jurists for many years. That Louisiana should take a forward step in this move for judicial reform was noted by this commentator in an address before the New Orleans Bar Association in 1942, where it was observed: "At this time, no one is charged with the responsibility of coordinating the work of the various courts. The idle judge is not assigned to aid in expediting the business of a court whose calendar is congested unless the judge of that court is on leave. The judge who takes a case under advisement and keeps it, until it has 'grown whiskers' has no one to account to. No lawyer has the temerity to wield the statutory club to jar him loose. Article

*Past president of the Baton Rouge Bar Association; member of the Baton Rouge Bar.

1. At the Chicago meeting of the American Bar Association, Judge John J. Parker of North Carolina was awarded the American Bar Association medal for his patient and untiring leadership in this field.

after article is published—and speech after speech made—criticising lengthy opinions with unnecessary quotations and repetitious citations, but nothing is or can be done about it. As a matter of fact, any suggestion or constructive criticism from the organized bar is universally misconstrued by the bench. The courts as a result of legislative and constitutional control operate very much after the manner of a large business enterprise divided into many distinctive departments, conducted without any coordinating head We can make it a popular demand that the business of the Courts be expedited and handled with less waste.”

No one can challenge the statement that post-war reconstruction will carry in its wake many problems involving personal and property rights which will unduly test the ability of our courts to administer justice with efficiency and speed. If this be true in an abnormal period the words of Chief Justice Taft uttered in a normal period are not inappropriate: “If one were asked in what respect we had fallen furthest short of ideal conditions in our government, I think we would be justified in answering, in spite of the glaring defects of our system of municipal government, that it is our failure to secure expedition and thoroughness in the enforcement of public and private rights in our courts.”

James P. Alexander, Chief Justice of the Texas Supreme Court, a leader in the great reforms accomplished in his state, had this to say on the subject of procedural progress: “If the Supreme Court is in favor of reforms, the reforms can be had; otherwise they cannot. This is so for two reasons. In the first place, practicing attorneys do not like to run the risk of incurring the ill-will of the Supreme Court by taking a position contrary to that advocated by the Court. In the second place, the legislators assume that if any reforms are needed, the Court will suggest them; and that if the Courts oppose reforms, they are not needed.”

The supreme court of this state has taken no official step in the light of the report of April 30, 1943. This statement does not imply that considerable thought has not been given the subject. It is not presumptuous to predict, however, that following a thorough study of needs of this state in the field of judicial administration early and comprehensive action will be taken by the court.

LEDoux R. PROVOSTY³

³ Immediate past president of the Louisiana Bar Association; member of the Alexandria Bar.